

REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Claim 1 has been amended to incorporate the subject matter previously presented in claim 6. Claim 9 has been amended to incorporate the subject matter previously presented in claim 12. Claims 4, 6, 10 and 12 have been cancelled. Claim 8 has been amended. The dependencies of claims 5, 7, 11 and 13 have been changed. New claims 14-17 are added. Claims 1-3, 5, 7, 11 and 13-17 are currently pending in this application. Applicant respectfully requests reconsideration of this application.

Applicant respectfully submits that the rejection of claims 8-13 under 35 U.S.C. §112 can be withdrawn now that claims 8 and 9 have been clarified above.

Applicant respectfully traverses the rejection under 35 U.S.C. §103 of claims 6, 7, 12 and 13 as if that rejection were applied against claims 1 and 9, which have been amended to incorporate the limitations previously presented in claims 6 and 12. The proposed combination of *Amin* and *Skubic, et al.* cannot be made. As quoted by the Examiner on page 5 of the Office Action and as taught in column 2, line 30, the service control point in the *Amin* reference permanently stores the profile of the wireless communication devices. Column 3 of *Amin* teaches, "Each of SCP 290, 490, 590 is adapted to permanently store profiles for respectively different types of wireless communication devices." (Lines 14-17)

The proposed combination cannot be made because it goes directly contrary to the teachings of *Amin*. A primary reference cannot be modified in a way that undoes an intended feature or function of the arrangement of that primary reference. If the proposed combination were made, the substitution of *Skubic, et al.* into *Amin* or a modification of *Amin* to include the

teachings from *Skubic, et al.* would require going directly contrary to the teachings of *Amin* that require the service control point to permanently store profiles. There is no motivation for making the proposed combination because it goes directly contrary to the teachings of the *Amin* reference.

There is no *prima facie* case of obviousness.

This application is in condition for allowance.

Applicant hereby petitions for a one month extension of time and a check in the amount of \$120.00 is enclosed. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

David J. Gaskey, Reg. No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: November 8, 2005

CERTIFICATE OF MAILING

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2005.


Theresa M. Palmateer

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